

February 13, 2008

RE: Irene Seifert v. Indeterminate Sentence Review Board (ISRB)
Allocation Review No. ALLO-07-038

Dear Ms. Seifert:

The Director's review of ISRB's allocation determination of your position has been completed. The review was based on written documentation and on information provided during the February 7, 2008, Director's review meeting. Present at the Director's review meeting were you; Margaret McKinney, ISRB Executive Director; and Francesca Woodring, Department of Personnel Small Agency Client Service Manager.

Background

In August 2006, you submitted a Position Review Request form asking that your Correctional Records Specialist position be reallocated to Correctional Records Manager 1. Your supervisor agreed that your Position Review Request (PRR) form was accurate and complete. On behalf of ISRB, the Department of Personnel conducted a review of your position and by letter dated November 29, 2006, denied your request.

On December 1, 2006, you filed a request for a Director's review.

Summary of Ms. Seifert's Perspective

You argue that you are the staff expert for sentencing offenders under the sex offender law and you coordinate processing for all sex offenders sentenced under the law. You assert that you provide training to staff at ISRB and in Department of Corrections (DOC) institutions regarding the sex offender sentence law and offender sentence processing procedures. You explain that you manage the intake process for all incoming sentencing notifications which includes creating the offender file, logging information into the database, assuring that sentencing documents are complete and accurate, and forwarding the file to the appropriate staff person for processing. You further explain that when you find errors in sentencing documents, decisions from the court or decisions from the ISRB, you are responsible for coordinating resolution of the errors. You admit that you do not have budgetary responsibilities, do not supervise staff, and do not write policies or procedures though you do apply them. However, you assert that you manage the offender caseload for your assigned region, provide training for staff, plan your work, coordinate

information with other staff within your assigned region, and coordinate work with other ISRB staff to provide coverage and assure work is performed in a timely manner. In addition, you assert that you manage and coordinate the caseload for offenders who committed their offense in the State of Washington but are housed in other states. You argue that DOP incorrectly applied allocating criteria not found in the Correctional Records Manager 1 classification. You contend that your position fits the description as written in the Correctional Records Manager 1 class and therefore, your position should be reallocated.

Summary of ISRB's reasoning

ISRB acknowledges that you are the staff expert for the technical aspects of offender sentencing and that you share that knowledge with other staff. However, ISRB argues that the duties and responsibilities of your position do not meet the definition of managerial duties encompassed in the Correctional Records Manager 1 classification. ISRB argues that you are not assigned lead duties. ISRB acknowledges that while there have been no new records staff to train for 10 years, based on your Position Description form, you are assigned responsibility to train new records staff on sentencing structure matters. In addition ISRB acknowledges that sentencing structures have changed and your workload has increased but asserts that you are responsible for the same duties as in the past.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file including the duties and responsibilities described in your Position Description form (PDF) and your Position Review Request (PRR) form. Based on my review of the documents, the available classifications, and my analysis of your assigned duties and responsibilities, I conclude that your position is best described by the Correctional Records Specialist classification.

Rationale for Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The definition for the Correctional Records Manager (CRM) 1 classification states: "[m]anages a correctional records office and performs sentence structure duties; or manages the department-wide Offender Base Tracking System Audit functions."

The Department of Personnel Glossary of classification terms describes managerial duties as duties involving "planning, coordinating, integrating, executing, controlling and evaluating activities and functions of an organization including formulating budget, policies and procedures, service delivery, and staff supervision."

The organization chart for ISRB shows that the office includes three Correctional Records Specialist (CRS) positions. Each position reports to the Executive Director of ISRB. During the Director's review, you indicated that each position is assigned responsibility for offender files by regions. You are responsible for all aspects of the offender files for your assigned regions. The other CRS's are responsible for all aspects of the offender files for their assigned regions.

During the Director's review meeting, you stated that you do not have budgetary or supervisory responsibilities. Because cases are assigned to CRS's by region, you do not have responsibility for managing all offender files for the office. In addition, while you plan your work and coordinate work with others, you do not plan or coordinate work for the records office as a whole. The duties and responsibilities of your position do not meet the nature of work encompassed by a managerial classification.

The definition for Correctional Records Specialist classification states, "[p]erforms correctional records technical tasks and sentencing structure duties within a correctional records office. Calculates length of incarceration and/or community supervision time under the supervision of a Correctional Records Supervisor."

Due to the small size of ISRB, you and the other CSR's work under the supervision of the Executive Director of ISRB, not under the supervision of a Correctional Records Supervisor. You perform technical tasks in processing correctional records, performing sentencing structure duties, and calculating the length of sentences. Your position fits within the definition of the CRS classification.

In addition, the typical work statements for the CRS classification encompass the majority of your duties and responsibilities including reviewing and verifying the accuracy of sentencing documents, verifying that required documents are received, verifying information and entering it into electronic tracking systems, coordinating information with other jurisdictions, and responding to requests for information. While the CRS classification does not encompass responsibility for training other staff, based on your PDF, this duty is minimal. Based on your PRR, this duty encompasses only 5% of your overall duties. Performance of a minimal duty does not support reallocation to a managerial position when the overall scope and nature of work assigned to a position does not fit the definition of managerial work.

Overall, the scope of your duties, the majority of your assignments, and your level of responsibility are best described by the Correctional Records Specialist classification. Your position is properly allocated.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

Sincerely,

Holly Platz, SPHR
Director's Review Investigator

cc: Margaret McKinney, ISRB
Francesca Woodring, DOP
Lisa Skriletz, DOP